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**RI - OU #4 SAMPLING
U.S. DOE - FERNALD
OH6 890 008 976**

10-18-90

**USEPA/DOE-FSO
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LETTER**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

2457

REPLY TO ATTENTION OF:

OCT 1 x 1990

5HR-12

FACSIMILE AND
FEDERAL EXPRESS

Mr. Andrew P. Avel
U.S. Department of Energy
Feed Materials Production Center
P.O. Box 398705
Cincinnati, Ohio 45239-8705

RE: RI - OU#4 Sampling
U.S. DOE Fernald
OH6 890 008 976

Dear Mr. Avel:

The United States Environmental Protection Agency (U.S. EPA) acknowledges the receipt of your October 11, 1990, letter regarding sampling of the silos in Operable Unit #4. This letter inaccurately represents the facts regarding the submission and review of the Remedial Investigation (RI) sampling plan for the silos.

U.S. DOE submitted a revised sampling plan for review on September 19, 1990. At U.S. DOE's request, several telephone negotiation sessions were held instead of doing a normal written review within thirty days. Several of these sessions were held during the week of October 1. It appeared that we had verbal agreement on the changes that had to be made in the sampling plan and U.S. DOE agreed to tele-faxed a revised sampling scheme to U.S. EPA before a 2:30 pm CST tele-conference on October 5, 1990. This tele-conference was to finalize the document with the intent of giving verbal agreement. A letter formalizing the changes would then been tele-faxed to U.S. DOE that day.

U.S. DOE did not telefax the revised sampling scheme until the end of business on October 5, 1990. The telefax did not include the text describing the sampling scheme as previously agreed.

I called Jack Craig on October 9, 1990 (the next business day) and he was not available. Two messages were left for me at my hotel during the day on October 10. I called U.S. DOE upon my return at 5:00 pm EST and there was no answer. I had previously made it known that I would not be available during the day, but could be reached in the evenings.

I do not consider these attempts to reach me to be best efforts. Extensive consideration had been given to U.S. DOE for negotiation sessions with very short notice.

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Date Rec'd OCT 11 1990


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U.S. EPA has not approved the sampling plan. Once U.S. DOE has submitted ~~the~~ 2457 document for our review, it can be considered for approval.

Please contact me at (312/FTS) 886-4436 if you have any questions regarding this matter.

Sincerely,



Catherine A. McCord
On-Scene Coordinator

cc: Richard Shank, OEPA
Graham Mitchell, OEPA - SWDO
Leo Duffy, U.S. DOE - HDQ
Joe LaGrone, U.S. DOE - ORO